

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Chapter VIII, Rule 32(2)(b)

Description of the case

**Writ Petition No. 455 of 2001 (S/B)
(Old No. 5660/1996)**

Date of decision: 14th of February, 2005.

For the Approval of:

Hon'ble Chief Justice V.S. Sirpurkar

Hon'ble Mr. Justice P.C. Pant

-Whether the order/judgment should be sent to the
reporters for reporting? ()

-Whether the reporters be allowed to see the
Judgment? (Yes)

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IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 455 (S/B) of 2001
(Old No. 5660/1996)

Venkat Raman Pandeya,
S/o Late Ram Chandra Pandeya,
R/o 228, Bisht Bhawan,
Vivekanandpuri, Almora Petitioner

Vs.

1. The Hon'ble Chancellor,
Kumaon University,
Nainital.

2. Vice Chancellor,
Kumaon University,
Nainital U.P.

3. Chairman,
Selection/Screening Committee,
Kumaon University,
Nainital, U.P.

Respondents.

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Mr. M.C. Kandpal, learned counsel for the petitioner.
Mr. B.D. Upadhayaya, learned counsel for the respondents.

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. P.C. Pant, J.

Dated: 14.02.2005

[Per Hon'ble Chief Justice]

1. This is writ petition for the grant of senior scale w.e.f. 1988 on the basis that the petitioner had completed eight years service on 08.08.1988. Under the rules, a Lecturer, who completes eight years of service, is entitled to be considered for the grant of senior scale.

2. The case of the petitioner is that though he was granted senior scale lateron w.e.f. 1990, he should have been granted that scale two years earlier since he had qualified himself and should have been granted that scale in the year 1988. By way of reply the respondent points out that the grant of senior scale is not automatic, but for that purpose the concerned Lecturer himself has to be called for interview and then he is not be selected, and the Selection Committee considers as to whether the lecturer is entitled to be

given the senior grade. Mr. B. D. Upadhayaya, the learned counsel for the respondents points out that if the Lecturer is not able to get senior grade in his first attempt, then he is entitled to compete for getting the said senior grade in the subsequent years. It is pointed out by Mr. Upadhayaya that the Screening Committee had actually considered the case of the petitioner. However, found him to be completely ineligible for getting the senior scale on account of his lacking academic standards. We have been taken through the minutes of the Selection Committee, where the petitioner was found wanting on six aspects in the academic excellence. We are, therefore, convinced that the petitioner was actually considered for being granted senior scale and the Screening Committee did not find him worthy of getting senior scale. It is admitted position that thereafter the petitioner was found to be fit and was actually granted senior scale w.e.f. 1990. Thereafter, it seems that he has been granted selection grade lateron. In this view, we will not interfere in this writ petition.

3. The writ petition is dismissed.

(V.S.Sirpurkar, C.J.)

(P.C. Pant, J.)

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